

**City of Somerville, Massachusetts
Matters of Business of the Board of Aldermen**

MINUTES OF THE REGULAR MEETING

March 8, 2007, 7:00 PM
Aldermanic Chambers

NOTICE: This is NOT the official version of the Board of Aldermen's minutes. While reasonable efforts have been made to assure the accuracy of the data provided, do not rely on this information without first checking with the City Clerk.

PRESENT for all or part of the meeting: President Robert C. Trane, Aldermen William A. White Jr., William M. Roche, Maryann M. Heuston, Thomas F. Taylor, Sean T. O'Donovan, Rebekah L. Gewirtz.

OPENING OF THE MEETING

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| 1. | Roll Call | Call of the Roll. | 182766
Placed on File |
| 2. | Minutes Approval | Approval of the minutes of the Regular Meeting of February 8, 2007. | 182767
Approved |

CITATIONS

- | | | | |
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| 3. | Citation | By Ald. Sullivan and the Entire Board, Commending Irish comedian, author and actor Ardal O'Hanlon on his first visit to Somerville. | 182768
Approved |
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PUBLIC HEARINGS

None

**ORDERS, ORDINANCES, RESOLUTIONS
AND MOTIONS OF MEMBERS**

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| 4. | Resolution | By Ald. Trane and the Entire Board, Offering sincerest best wishes for the speedy recovery of Somerville resident Adam Devine, injured last month while serving in Iraq. | 182769
Approved |
| 5. | Order | By Ald. Roche, That the Director of Traffic and Parking assign a Parking Control Officer to the Glen St. and Franklin St. sides of the Capuano School during morning admittance and afternoon dismissal and cite anyone violating any traffic laws including blocking or partially blocking any driveway and/or double parking. | 182770
Approved |

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| 6. | Order | By Ald. Roche, That the Director of Health bait for rodents and inspect for violations of the trash ordinance, on Chester Ave., halfway up Otis St. at the Cross St. end, and near 42 Crescent St. | 182771
Approved |
| 7. | Order | By Ald. Roche, That the Director of SPCD coordinate with the B&M Railroad to bait their property adjacent to Chester Ave. for rodents. | 182772
Approved |
| 8. | Order | By Ald. Roche, That the Chief of Police order directed patrols on East Broadway and peripheral areas, from dawn to dusk, to arrest anyone defacing property with graffiti. | 182773
Approved |
| 9. | Order | By Ald. Taylor, That the Director of Traffic and Parking evaluate making a continuation of Central St. as a one-way street from Summer to Medford Sts. | 182774
Approved, Copy to
Traffic & Parking |
| 10. | Order | By Ald. Taylor, That the Director of Traffic and Parking enforce No Parking Within 20 Feet of an Intersection regulations at Central and Cleveland Sts. | 182775
Approved |
| 11. | Order | By Ald. Taylor, That the Director of Traffic and Parking consider making Cleveland St. a permit parking street. | 182776
Approved |
| 12. | Order | By Ald. Trane, That the Director of Traffic and Parking replace the faded Sterling St. sign at Alewife Brook Pkwy. | 182777
Approved |
| 13. | Order | By Ald. Trane, That the Chief of Police increase patrols around Endicott, Garrison, and Farragut Aves. and Victoria, Waterhouse and Woodstock Sts. during late night/early morning hours. | 182778
Approved |
| 14. | Order | By Ald. Trane, That the Commissioner of Public Works inform NStar that the double pole at North St. and Raymond Ave. has not been removed. (multiple requests) | 182779
Approved |
| 15. | Order | By Ald. Trane, That the City Solicitor use whatever means necessary to force the property owners at Powder House Blvd. and Curtis St. to remove the diseased tree that overhangs the public way. | 182780
Approved |
| 16. | Order | By Ald. Heuston, The Director of SPCD and the Commissioner of Public Works monitor Joy St. for illegal dumping of tires, automotive parts and trash on the street and sidewalk, and post signs prohibiting such dumping. | 182781
Approved |
| 17. | Order | By Ald. Heuston, That the Chief of Police and the Director of Traffic and Parking ticket and tow vehicles parked on the sidewalk or otherwise impacting pedestrian safety on Poplar, Linwood, Chestnut and Joy Sts. | 182782
Approved |

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| 18. | Order | By Ald. Gewirtz, That the Environmental Programs Manager report to the Committee on Environment and Energy his progress in inventorying city buildings relative to their environmental impact and sustainability. | 182783
Approved, Copy to
Environment & Energy |
| 19. | Order | By Ald. Gewirtz, That the Director of Traffic and Parking report to the Ward 6 Alderman the policy for providing visitor passes for gatherings at people's homes, and why there is a cut off on how many passes are provided. | 182784
Approved |
| 20. | Resolution | By Ald. Gewirtz, That this Board requests that the Climate Action Committee meet with the Committee on Environment and Energy about how their activities could be better coordinated to facilitate energy efficiency. | 182785
Approved, Copy to
Environment & Energy |
| 21. | Resolution | By Ald. Gewirtz, That this Board requests that the Administration better publicize that CFL light bulbs should be recycled the 2 nd Saturday in April, from 9 AM to Noon. | 182786
Approved |
| 22. | Order | By Ald. Gewirtz, That the Director of Communications update the city's website dealing with household hazardous waste to reflect that CFL lightbulbs should not be disposed of in the regular trash. | 182787
Approved |
| 23. | Order | By Ald. Gewirtz, That the Commissioner of Public Works develop a more convenient method of recycling old CFL light bulbs to promote their proper disposal. | 182788
Approved |
| 24. | Order | By Ald. Gewirtz, That the Commissioner of Public Works investigate whether Russell Disposal is in violation of Ordinance 9-116 by emptying dumpsters between 7 PM and 7 AM and if so, fine them. | 182789
Approved as Amended:
That the Commissioner
investigate all
companies emptying
dumpsters |
| 25. | Order | By Ald. Gewirtz, That the Commissioner of Public Works repair the pothole at 34 Liberty Ave. | 182790
Approved |
| 26. | Order | By Ald. Gewirtz, That the Director of SPCD report to the Ward 6 Alderman the policy on posting renderings of future buildings at construction sites. | 182791
Approved |
| 27. | Order | By Ald. O'Donovan, That the Director of Traffic and Parking replace the faded street parking signs on Clyde St. | 182792
Approved |
| 28. | Order | By Ald. O'Donovan, That the City Solicitor appear before the Committee on Public Health and Safety to discuss ways to force CVS to adhere to the lease provision to maintain a safe parking lot in Magoun Sq. | 182793
Approved, Copy to
Public Health & Safety |

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| 29. | Order | By Ald. O'Donovan, That the Director of SPCD contact the Ward 5 Alderman to arrange for the Neighborhood Inspection Team to visit a site on Trull St. | 182794
Approved |
| 30. | Order | By Ald. O'Donovan, That the Commissioner of Public Works contact the Ward 5 Alderman to discuss the tree planting schedule for this Spring and Summer. | 182795
Approved as Amended:
That the Commissioner send the tree planting list to all Aldermen |
| 31. | Order | By Ald. O'Donovan, That the Commissioner of Public Works contact the Ward 5 Alderman to schedule a meeting with the Garden Club to discuss the maintenance of lower Highland Rd. | 182796
Approved |
| 32. | Order | By Ald. White, That a representative of SPCD appear before the Committee on Housing and Community Development to discuss the programs funded by the MPO under the Transportation Improvement Program. | 182797
Approved, Copy to
Housing & Community
Development |
| 33. | Order | By Ald. White, That a representative of SPCD appear before the Committee on Housing and Community Development to discuss Federal Realty Investment Trust's application for funding under the state's "I-cubed" Program. | 182798
Approved, Copy to
Housing & Community
Development |

UNFINISHED BUSINESS

None

REPORTS OF COMMITTEES

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| 34. | Committee Report | Report of the Committee on Environment and Energy, Feb. 26.
No papers. | 182799
Approved |
| 35. | Committee Report | Report of the Committee on Land Use, Feb. 27.
No papers. | 182800
Approved |
| 36. | Committee Report | Report of the Committee on Land Use meeting in joint session with the Planning Board, Mar. 1.
No papers. | 182801
Approved
Ald. Donovan Recused |
| 37. | Committee Report | Report of the Committee on Legislative Matters, Feb. 27. | 182802
Approved |
| 37A. | Order | By Ald. Heuston, That this Board amends the ordinance regarding memorials by adding a provision to rededicate and restore lost and damaged memorials. | 182477
Placed on File |
| 38. | Committee Report | Report of the Committee on Legislative Matters, Mar. 6. | 182803
Approved |

38A.	Officer's Comm.	City Solicitor submitting an amendment to Ordinance 11-24, to increase from one year to five years the limitation on reconstructing streets.	180826 Approved, Enrolled and Ordained
38B.	Officer's Comm.	Asst. City Solicitor responding to #180496 re: a Shopping Cart Ordinance.	181594 Approved as Amended: 120 day moratorium and \$100/day fine, Enrolled and Ordained
38C.	Mayor's Request	Requesting consideration of an Ordinance relative to shopping cart theft-prevention devices.	182231 Placed on File
39.	Committee Report	Report of the Committee on Public Health and Public Safety, Feb. 28.	182804 Approved
39A.	Officer's Comm.	City Engineer responding to #182078 Re: Safety of the McGrath Hwy. Overpass.	182345 Placed on File
39B.	Order	By Ald. White, That the Chief Fire Engineer provide the Committee on Public Health & Safety with data for the last 3 years detailing grant revenues, or an explanation of why the department hadn't applied for any.	182805 Approved
39C.	Order	By Ald. White, That the Chief Fire Engineer provide the Committee on Public Health & Safety with a list of training courses offered last year with a list of personnel trained.	182806 Approved
39D.	Order	By Ald. Sullivan, That the Chief Fire Engineer provide the Committee on Public Health & Safety with a report of staffing levels, including personnel on sick leave.	182807 Approved
40.	Committee Report	Report of the Committee on Licenses and Permits, Mar. 7	182808 Approved
40A.	Sign	Sign/Awning Permit, City Slicker Café, 588 Somerville Ave., Sign and awning.	182635 Approved
41.	Committee Report	Report of the Committee on Finance, Mar. 7.	182809 Approved
41A.	Mayor's Request	Requesting approval to reduce by \$2,700,000 the FY07 appropriation for the Water Enterprise Fund, to a new appropriation of \$9,056,536, as an accounting procedure requested by MA DOR.	182745 Approved
41B.	Mayor's Request	Requesting approval to use \$6,413.73 in available funds in the SPCD PS Salaries Acct. to fund a new Landscape Project Manager, with an annual salary up to \$55,000.	182746 Approved

41C.	Mayor's Request	Requesting approval of a \$7,275 transfer from the Salary Contingency Acct. to the DPW School Custodians Salary Acct., for a contract settlement with the SEIU/NCFO.	182747 Approved
41D.	Mayor's Request	Requesting approval to expend a \$479,000 grant from the MA Office of Commonwealth Development for transit-oriented pedestrian improvements for East Broadway-Sullivan Sq.	182748 Approved
41E.	Mayor's Request	Requesting approval to expend a \$40,000 grant from the MA Cultural Council, for the Arts Council's ArtsUnion programming.	182750 Approved
41F.	Mayor's Request	Requesting approval to extend Contract 97-111 with CitiBank through June 30, 2007, for the lease/purchase of equipment as part of a major energy system retrofit.	182751 Approved
41G.	Mayor's Request	Requesting approval of a draft Purchase and Sale Agreement for 0 New Washington St.	182764 Approved as Amended adding a new paragraph about the proposed use of the buyer

COMMUNICATIONS OF THE MAYOR

42.	Mayor's Request	Requesting approval for the City to abandon a small triangle of land in Assembly Sq.	182810 Finance
43.	Mayor's Request	Requesting approval of a Consent Agreement required under the Land Disposition Agreement for The Conwell School for certain changes to the VNA Project.	182811 Finance
44.	Mayor's Request	Requesting approval of a \$5,000 transfer from the Condominium Review Board Salaries Acct. to the SPCD Parks Reconstruction Acct.	182812 Finance
45.	Mayor's Request	Requesting approval to expend an \$8,000 grant from the Cambridge Health Alliance Public Health Dept. for the 5 City Tobacco Control Collaborative, for recruitment and training.	182813 Approved Ald. Heuston Recused
46.	Mayor's Request	Requesting approval to expend a \$5,700 grant from Federal Realty Investment Trust to fund the City's participation in the 2007 BIO International Convention.	182814 Finance
47.	Mayor's Request	Requesting approval to pay a prior year invoice of \$325 from Ronco Communications for work completed at Fire Prevention and at East Somerville Community School.	182815 Finance
48.	Mayor's Request	Requesting approval of a one-year extension of the recycling contract with Casella Waste (FCR Recycling).	182816 Finance

49.	Mayor's Request	Requesting approval of an Ordinance to create a Somerville Municipal Athletic Facilities Commission.	182817 Legislative Matters
50.	Mayor's Request	Requesting that the Board vacate the re-appointment of Mary Griffin to the Housing Authority on Sept. 8, 2005, because certain procedural requirements were not followed.	182818 Conf. of Appointments
51.	Mayor's Request	Requesting approval of the appointment of Barry Rafkind to the Human Rights Commission.	182819 Approved
52.	Mayor's Request	Requesting approval of the appointment of Ian Judge to the Historic Preservation Commission.	182820 Approved
53.	Mayor's Request	Requesting approval of the re-appointment of Robert Sweeney as Constable.	182821 Approved
54.	Mayor's Request	Requesting approval of the re-appointment of Jill Roderhiser as a Sworn Weigher.	182822 Approved
55.	Mayor's Request	Requesting approval of the re-appointment of Robert Rich as a Sworn Weigher.	182823 Approved
56.	Mayor's Comm.	Conveying the appointment of Delio Susi and James Norton to the Assembly Square Public Advisory Committee.	182824 Placed on File

COMMUNICATIONS OF CITY OFFICERS

None

NEW BUSINESS

57.	Public Occ	Public Property Occupancy Permit, Dahn Holistic Fitness Martial Arts Demonstration, Davis Sq. Statue Park, March 31, 12-2PM (Raindate April 7).	182825 Licenses & Permits
58.	Public Occ	Public Property Occupancy Permit, Step It Up Somerville Rally, Davis Sq. Statue Park, April 14, 10AM-2PM.	182826 Licenses & Permits
59.	Public Occ	Public Property Occupancy Permit, M.O.M.'s 5K Run for Cancer, Summer St. to Davis Sq., May 13, 10AM.	182827 Approved
60.	Drainlayer	New Drain Layers License, Roto Rooter Service Co. dba Chemed Corp.	182828 Approved
61.	Drainlayer	New Drain Layers License, Advanced Water & Sewer.	182829 Approved
62.	Used Car	Renewal of Used Car Dealer License Class II, Foreign Body Works Inc., 593 Somerville Ave., No Autos.	182830 Licenses & Permits

63.	Junk Dealer	Renewal of Junk Dealer License, Atlas Junk Co., 475 Columbia St.	182831 Licenses & Permits
64.	Junk Dealer	Renewal of Junk Dealer License, Nissenbaum's Auto Parts Inc., 480 Columbia St.	182832 Licenses & Permits
65.	Outdoor Parking	Renewal of Outdoor Parking License, Nissenbaum's Auto Parts Inc., 498 Columbia St., 61 Autos.	182833 Licenses & Permits
66.	Outdoor Parking	Renewal of Outdoor Parking License, Nissenbaum's Auto Parts Inc., 490 Columbia St., 15 Autos.	182834 Licenses & Permits
67.	Ordinance	Ten registered voters requesting approval of an amendment to the zoning ordinances for Union Sq. PUD C, PUD C-1, and Arts Overlay District.	182835 Land Use & Planning Board
68.	Ordinance	Ten registered voters requesting approval of an amendment to the zoning ordinances for Union Sq. to reduce the affordable housing site aside for artist's housing.	182836 Land Use & Planning Board
69.	Ordinance	Ten registered voters requesting approval of an amendment to the zoning ordinances to increase the affordable housing requirement to 15% in Union Sq.	182837 Land Use & Planning Board
70.	Comm.	Courtney Koslow Re: Maxpak Project on Clyde St.	182838 Placed on File
71.	Comm.	Jessica Brown & Derrick Rodgers Re: Maxpak Project on Clyde St.	182839 Placed on File
72.	Comm.	Rebecca Zacks & Zachary Kron Re: Maxpak Project on Clyde St.	182840 Placed on File
73.	Comm.	Alan & Hannah Henderson Re: Maxpak Project on Clyde St.	182841 Placed on File

LATE ITEMS

74.	Comm.	Sixteen residents requesting an amendment to the proposed PUD-C Overlay District in Union Sq.	182842 Land Use & Planning Board
75.	Officer's Comm.	Bicycle Committee conveying comments Re: Maxpak Project on Clyde St.	182843 Land Use
76.	Comm.	Ron Newman Re: Maxpak Project on Clyde St.	182844 Land Use
77.	Comm.	Alan Moore Re: Maxpak Project on Clyde St.	182845 Land Use

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| 78. | Comm. | UniFirst Corporation responding to #182719 re: Soil testing at the Capuano School Community Gardens. | 182846
Environment & Energy |
| 79. | Order | By Ald. Heuston, That the Commissioner of Public Works provide to this Board a list of non-capital maintenance and repair issues at the Central Library along with a timetable. | 182847
Approved, Copy to Finance |
| 80. | Comm. | By Ald. Trane, That this Board appoints Richard Nillson as its selection for the Assembly Sq. Public Advisory Committee. | 182848
Approved |

Submitted by John J. Long, City Clerk